



IT21 3626

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Wiser, et al.

Application No.: 09/289,513

Filing Date: April 9, 1999

Confirmation No.: 8705

Group Art Unit: 3626

Examiner: C. L. Gilligan

For: SECURE ONLINE MUSIC DISTRIBUTION SYSTEM

DATE OF DEPOSIT: January 25, 2006

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 TYPED NAME: Kenneth R. Eiferman
 REGISTRATION NO.: 51,647

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PETITION FOR WITHDRAWAL OF ABANDONMENT

Applicant petitions that the abandonment set forth in the notice mailed by the Office on February 28, 2005 be withdrawn as there is no abandonment in fact.

Submitted herewith is:

- A copy of the postcard identifying the papers filed and showing the U.S. PTO receipt stamp dated **December 27, 2004**.
- A copy of the complete response timely filed.
- A copy of Express Mail Label No. EL999295957US which is the number identified on the first page of the previously filed response showing a written "date in" of December 27, 2004.
- Applicants authorize the Commissioner to charge Deposit Account No. 23-3050 in the amount of the petition fee. However, as no defect exists in

applicant's previous submission, an immediate refund of the petition fee is requested.

The Commissioner is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

Date: January 25, 2006



Kenneth R. Eiferman
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Paper: Request for Continued Examination (RCE) Transmittal Pursuant to 37 CFR Section 1.114 (in duplicate) with Express Mail sticker; Reply Pursuant to 37 CFR Section 1.116; check in the amount of \$790.00 representing basic filing fee for RCE (large entity); and return receipt postcard, all sent via Express Mail Label No. EL999295957US

Applicant(s): Wiser et al.
Title: SECURE ONLINE MUSIC DISTRIBUTION SYSTEM
Application No.: 09/289,513
Filed: April 9, 1999
Docket No.: MSFT-1701/303314.01
Date Sent: December 27, 2004
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Wiser et al.

Application No.: 09/289,513

Confirmation No.: 8705

Filing Date: April 9, 1999

Group Art Unit: 3626

For: SECURE ONLINE MUSIC DISTRIBUTION SYSTEM

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Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT
TO 37 CFR § 1.114**

(Note - RCE practice is not available to United States applications with a filing date prior to June 8, 1995 or United States National Phase Applications where entry into the national phase is from an International Application filed prior to June 8, 1995. However, if a Continued Prosecution Application was filed after June 8, 1995 in one of the above-identified applications, RCE practice would then be permitted on that application)

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

Previously submitted

Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

Consider the arguments in the Appeal Brief or Reply Brief previously filed on .

Other: .

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Enclosed

Amendment/Reply under 37 CFR § 1.116

Affidavit(s)/Declaration(s)

Information Disclosure Statement (IDS)

Other:

2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

FEE CALCULATION:

				SMALL ENTITY		NOT SMALL ENTITY	
<input checked="" type="checkbox"/> RCE BASIC FILING FEE				\$395.00	\$	\$790.00	\$790.00
	CLAIMS REMAINING AFTER RCE	HIGHEST NO. PAID FOR	EXTRA				
TOTAL CLAIMS	20	50 (20 MINIMUM)	-0-	\$25 EACH	\$	\$50 EACH	\$-0-
INDEP. CLAIMS	3	3 (3 MINIMUM)	-0-	\$100 EACH	\$	\$200 EACH	\$-0-
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$180	\$	\$360	\$-0-
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$60	\$	\$120	\$-0-
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$225	\$	\$450	\$-0-
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$510	\$	\$1020	\$-0-
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<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief)				\$1080	\$	\$2160	\$-0-
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$-0-)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$65	\$	\$130	\$-0-
TOTAL FEE DUE					\$		\$790.00

A check in the amount of \$790.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Please charge Deposit Account No. 23-3050 in the amount of \$ ____ .00. This sheet is attached in duplicate.

A response to the dated was due on . Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from

to and through comprising an extension of the shortened statutory period of month(s).

A Notice of Appeal was filed . An Appeal Brief is due on . Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from to and through comprising a total extension of month(s).

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: December 27, 2004



Kenneth R. Eiferman
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DOCKET NO.: 303314.01 / MSFT-1701
Application No.: 09/289,513
Office Action Dated: December 17, 2003



PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Wiser et al.

Confirmation No.: **8705**

Application No.: **09/289,513**

Group Art Unit: **3626**

Filing Date: **April 9, 1999**

Examiner: **C Gilligan**

For: **SECURE ONLINE MUSIC DISTRIBUTION SYSTEM**

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REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated **December 17, 2003**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- Amendments to the Specification** begin on page _____ of this paper.
- Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- Amendments to the Drawings** begin on page _____ of this paper and include an attached replacement sheet.
- Remarks** begin on page 8 of this paper.

COPY

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1-50. cancelled.

51. (new) A method for conducting electronic commerce through a computer network, the method comprising:

receiving, in a merchant computer system of the computer network from a buyer computer system, a purchase request for a digital product;

receiving payment data in the merchant computer system wherein the payment data specifies remuneration for the digital product;

sending a request for reservation of the digital product directly to a content manager computer system such that the request for reservation does not pass through the buyer computer system, the content manager computer system being a computer system which can be different from the merchant computer system and which is coupled to the merchant computer system through the computer network;

receiving, in the content manager computer system, a delivery request signal from the merchant computer system wherein the delivery request signal requests delivery of the digital product through the computer network to a client computer system which can be different from the buyer computer system;

sending transaction identification data to the client computer system wherein the transaction identification data identifies the digital product and represents remuneration in accordance with the payment data;

receiving, in a delivery computer system of the computer network, the transaction identification data from the client computer system;

determining within the delivery computer system, in accordance with the transaction identification data, the digital product; and

sending, from the delivery computer system, the digital product to the client computer system.

52. (new) The method of Claim 51 further comprising:

 sending, from the delivery computer system to the content manager computer system, a signal indicating that sending the digital product to the client computer system is completed.

53. (new) The method of Claim 51 wherein sending the digital product from the delivery computer system to the client computer system comprises:

 creating a new encrypting key which is intended to be used only once;
 encrypting the digital product with the new encryption key to form an encrypted digital product;

 sending the encrypted digital product to the client computer system;
 decrypting the encrypted digital product within the client computer system to recover the digital product; and

 discarding the new encryption key.

54. (new) The method of Claim 51 wherein requesting reservation by the merchant computer system comprises:

 encrypting data representing a requested reservation;
 sending the data as encrypted to the content manager computer system;
and

 decrypting the data within the content manager computer system.

55. (new) The method of Claim 51 wherein, in response to requesting reservation by the merchant computer system, the content manager computer system effects such a reservation of the digital product by:

 forming transaction data which include (i) the transaction identification data, (ii) product identification data which identifies the digital product, and (iii) binding data which binds the transaction to the client computer system; and

 sending the transaction data to the merchant computer system.

56. (new) The method of Claim 51 wherein the delivery request signal includes the transaction identification data.

57. (new) The method of Claim 51 wherein the transaction identification data, as received by the delivery computer system is certified as originating from the client computer system.

58. (new) A method for conducting electronic commerce through a computer network, the method comprising:

receiving, in a merchant computer system of the computer network, a purchase request for a digital product;

receiving payment data in the merchant computer system wherein the payment data specifies remuneration for the digital product;

sending a request for reservation of the digital product to a content manager computer system which is different from the merchant computer system and which is coupled to the merchant computer system through the computer network;

receiving, in the content manager computer system, a delivery request signal from the merchant computer system wherein the delivery request signal requests delivery of the digital product to a client computer system through the computer network;

sending transaction identification data from the content manager computer system to the client computer system, wherein the transaction identification data identifies the digital product and represents remuneration in accordance with the payment data;

receiving, in a delivery computer system of the computer network, the transaction identification data from the client computer system;

determining within the delivery computer system, in accordance with the transaction identification data, the digital product; and

sending, from the delivery computer system, the digital product to the client computer system.

59. (new) The method of Claim 58 further comprising:

sending, from the delivery computer system to the content manager computer system, a signal indicating that sending the digital product to the client computer system is completed.

60. (new) The method of Claim 58 wherein sending the digital product from the delivery computer system to the client computer system comprises:

creating a new encrypting key which is intended to be used only once;

encrypting the digital product with the new encryption key to form an encrypted digital product;

sending the encrypted digital product to the client computer system;

decrypting the encrypted digital product within the client computer system to recover the digital product; and

discarding the new encryption key.

61. (new) The method of Claim 58 wherein requesting reservation by the merchant computer system comprises:

encrypting data representing a requested reservation;

sending the data as encrypted to the content manager computer system;

and

decrypting the data within the content manager computer system.

62. (new) The method of Claim 58 wherein, in response to requesting reservation by the merchant computer system, the content manager computer system effects such a reservation of the digital product by:

forming transaction data which include (i) the transaction identification data, (ii) product identification data which identifies the digital product, and (iii) binding data which binds the transaction to the client computer system; and

sending the transaction data to the merchant computer system.

63. (new) The method of Claim 58 wherein the delivery request signal includes the transaction identification data.

64. (new) The method of Claim 58 wherein the transaction identification data, as received by the delivery computer system is certified as originating from the client computer system.

65. (new) A method for conducting electronic commerce through a computer network, the method comprising:

receiving, in a merchant computer system of the computer network from a buyer computer system, a purchase request for a digital product;

receiving payment data in the merchant computer system wherein the payment data specifies remuneration for the digital product;

sending a request for reservation of the digital product directly to a content manager computer system such that the request for reservation does not pass through the buyer computer system, the content manager computer system being a computer system which can be different from the merchant computer system and which is coupled to the merchant computer system through the computer network;

receiving, from the content manager computer system, voucher data which is readable by the content manager computer system and which represents to the content manager computer system a transaction in which the remuneration specified by the payment data is exchanged for the digital product.

66. (new) The method of Claim 65 further comprising:

receiving, from the content manager computer system, inventory data which specifies available digital products, including the digital product, and specified remuneration to the content manager computer system for each of the available digital products.

67. (new) The method of Claim 66 wherein requesting reservation comprises:
encrypting data representing a requested reservation;

sending the data as encrypted to the content manager computer system;
and

decrypting the data within the content manager computer system.

68. (new) The method of Claim 66 further comprising:

sending, from the merchant computer system, the payment data to a
payment authority; and

receiving, in the merchant computer system from the payment
authority, payment authorization data.

69. (new) The method of Claim 68 further comprising:

sending the payment authorization data to the content manager
computer system.

70. (new) The method of Claim 69 wherein sending the payment authorization
data comprises:

encrypting the payment authorization data.

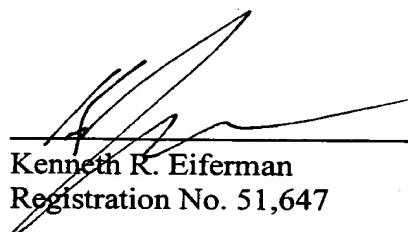
DOCKET NO.: 303314.01 / MSFT-1701
Application No.: 09/289,513
Office Action Dated: December 17, 2003

PATENT
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37 CFR § 1.116

REMARKS

This amendment is enclosed along with a Request for Continued Examination (RCE) filed after a Decision on Appeal in accordance with 37 CFR § 1.114. Upon entry of the present amendments, claims 51-70 will be pending in the application. It is respectfully submitted that no new matter has been added by the present amendments. Applicants respectfully request reconsideration of the present application in light of the present amendments.

Date: December 27, 2004


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